

Interim Decision #2058

MATTER OF JAMES  
In Visa Petition Proceedings  
A-17532053

*Decided by Board September 23, 1970*

A Deed Poll executed by the natural mother of the beneficiary, who was born in Guyana, declaring that beneficiary was to assume henceforth the U.S. citizen petitioner's maiden name, does not constitute a valid adoption since under the law of Guyana an adoption can be accomplished only in compliance with the Adoption of Children Ordinance (through a specially constituted authority, the Adoption Board), and by court order.

ON BEHALF OF PETITIONER:  
Pro se

ON BEHALF OF SERVICE:  
Irving A. Appleman  
Appellate Trial Attorney

The petitioner appeals a decision of the District Director denying this petition filed to accord the beneficiary status as an adopted child. The District Director concluded that the record failed to disclose a valid adoption of the beneficiary prior to her fourteenth birthday. We affirm that decision.

The petitioner is a married female, a native of Guyana and naturalized citizen of the United States. The beneficiary was born June 29, 1952 in Guyana, the natural child of one Vivian Douglas. The beneficiary's birth certificate is of record. The petitioner claims that the beneficiary was given to her in adoption by the natural mother on January 20, 1959. In support of her assertion, the petitioner has presented a Deed Poll executed by the beneficiary's mother before a Notary Public in the County of Demerara, Guyana. The beneficiary's mother stated therein that her child was to assume henceforth the petitioner's maiden name; and that in all records, documents, as well as in all actions or proceedings her daughter would be known as Lynette Celestina James. No mention is made of whether the petitioner was to assume care and custody of the beneficiary; in fact no where in that document does the petitioner's name appear as adopter or guardian.

The petitioner argues that the Deed Poll is evidence of a for-